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Attorneys for Third-Party Defendant  
 SQUARE D COMPANY, a Delaware corporation

**UNITED STATES DISTRICT COURT**

**NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION**

THE UNITED STATES OF AMERICA,  
 for the use and benefit of SUMMERS  
 GROUP, INC. a Delaware corporation  
 doing business as REXEL PACIFIC,

Use-Plaintiff,

v.

MID VALLEY ELECTRIC &  
 COMMUNICATIONS, INC., a  
 corporation dba CLYDE G. STEAGALL,  
 INC.; FIREMAN'S FUND  
 INSURANCE COMPANY, a California  
 corporation,

Defendants.

**AND RELATED COUNTERCLAIM**

SUMMERS GROUP, INC. a Delaware  
 corporation doing business as REXEL  
 PACIFIC,

Third-Party Plaintiff,

v.

SQUARE D COMPANY, a corporation,

Third-Party Defendant.

Case No.: C04 05458 JF/HRL

**JOINT STATUS REPORT OF MID  
 VALLEY ELECTRIC &  
 COMMUNICATIONS, INC. AND  
 SQUARE D COMPANY, A  
 CORPORATION**

and ORDER CONTINUING STATUS CONFERENCE

DATE: July 18, 2008  
 TIME: 10:30 A.M.  
 DEPT: 3

1 The parties, by and through their counsel, hereby submit this Joint Status  
2 Report to the Court in connection with the Status Conference which is set in the  
3 above-entitled matter on July 18, 2008 at 10:30 a.m.

4 On or about March 7, 2007, the Court issued an Order staying the above-  
5 entitled litigation based upon the fact that there is a separate litigation pending in the  
6 Court of Federal Claims between MID VALLEY ELECTRIC &  
7 COMMUNICATIONS, INC., a corporation dba CLYDE G. STEAGALL, INC.  
8 ("STEAGALL") and the NATIONAL AERONAUTICS AND SPACE  
9 ADMINISTRATION ("NASA"), the owner of the construction project which forms  
10 the basis for the above-entitled litigation.

11 The litigation between STEAGALL and NASA shall be hereinafter referred to  
12 as the "NASA Litigation".

13 As set forth in the parties previous Joint Status Report, the NASA Litigation is  
14 now at issue. Although a Status Conference was held in the NASA Litigation in  
15 August 2007, a Scheduling Order still has not been issued by the Court of Federal  
16 Claims in that matter. Instead, the Court of Federal Claims has ordered the parties  
17 thereto to conduct preliminary discovery (some of which has been conducted) and has  
18 ordered the parties to take certain depositions and file another Status Report with the  
19 Court of Federal Claims. Counsel for STEAGALL anticipates that the Court of  
20 Federal Claims will not hold another Status Conference in the NASA Litigation until  
21 after July 2008. Accordingly, the parties to the instant matter believe that it would be  
22 appropriate for the Court to hold another Status  
23 Conference in this matter sometime in October 2008.

24 DATED: July 14, 2008

GIBBS, GIDEN, LOCHER, TURNER & SENET LLP

25  
26 By: 

Michael I. Wayne

Attorneys for Third-Party Defendant

SQUARE D COMPANY, a Delaware corporation

1  
2  
3 DATED: 7/15/08

THURBON & MCHANEY, LLP

4 By: 

5 Erin Holbrook, Esq.

6 Attorneys for Defendants

7 MID VALLEY ELECTRIC & COMMUNICATIONS,  
8 INC., a corporation dba CLYDE G. STEAGALL,  
9 INC.

10 DATED: 7-14-08

WALSH & WALSH, P.C.

11 By: 

12 Michael J. Walsh, Esq.

13 Attorneys for Use-Plaintiff

14 THE UNITED STATES OF AMERICA, for the use  
15 and benefit of SUMMERS GROUP, INC. a Delaware  
16 corporation doing business as REXEL PACIFIC

17 7/17/08 The Status Conference is continued to 10/24/08 at 10:30 AM.

18 IT IS SO ORDERED.

19   
20 Judge Jeremy Fogel, US District Court